



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: DECEMBER 26, 2013

PREPARED BY: [REDACTED]

CASE #: OI-CR-2010-0593

CROSS REFERENCE #:

TITLE: [REDACTED]

CASE CLOSING REPORT

Subject(s)	Location	Other Data
[REDACTED]	ANN ARBOR, MI	OI coordinated with FBI Detroit Field Office; OI coordinated with Washtenaw County Sherriff's Office

**VIOLATION:** Possession of child sexually abusive material

**ALLEGATION:** Subject possessed child sexually abusive material.

**FINDINGS:** On September 6, 2010, the EPA OIG OI received a complaint that [REDACTED] Office of Air and Radiation (OAR), [REDACTED] may have utilized [REDACTED] EPA email to access an internet site that contained child pornography On [REDACTED] from the EPA OIG. On [REDACTED] 2012, [REDACTED] plead guilty in Washtenaw County, Michigan, State court to the possession of child sexually abusive material [REDACTED] received a sentence of five years probation. Prior to [REDACTED] criminal case being presented at the State level, on April 25, 2011, the United States Attorney's Office, Eastern District of Michigan, declined prosecution. The EPA OIG and FBI, had been working jointly on [REDACTED] Federal criminal case.

**DISPOSITION:** The foregoing case, as referenced above, resulted in [REDACTED] criminal conviction. Since [REDACTED] is no longer an EPA employee, there is no additional administrative action to take. As such, this case is recommended for closure.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL**

109 TW Alexander Drive  
Research Triangle Park, NC

**DATE:** December 23, 2014

**PREPARED BY:** Special Agent [REDACTED]

**CASE #:** OCI-RTP-2010-ADM-0572

**CROSS REFERENCE #:**

**TITLE:** [REDACTED]

**CASE CLOSING REPORT**

Subject(s)	Location	Other Data
[REDACTED]	[REDACTED]	

**VIOLATION(s):**

Misconduct - Misuse of EPA Computers (Including Pornography)

**ALLEGATION(s):** On July 13, 2010, Office of Inspector General, Office of Cyber Investigations, U.S. Environmental Protection Agency (EPA), was notified of a possible computer intrusion, however allegation was determined to be the misuse of government computer.

**FINDINGS:** On February [REDACTED] 2011 Special Agents [REDACTED] and [REDACTED] United States Environmental Protection Agency, Office of the Inspector General, Office of Cyber Investigations and Homeland Security, conducted a non-custodial subject interview of [REDACTED], contractor [REDACTED] to the EPA. Immediately following the interview, [REDACTED] provided a written statement to SA's [REDACTED] and [REDACTED]. In the statement [REDACTED] admitted that [REDACTED] was addicted to pornography and was watching it during EPA business hours, on EPA computer assets for three to four hours a day.

**DISPOSITION:** Closed.

On September 5, 2014, EPA-OIG received confirmation that \$ [REDACTED] was received from [REDACTED] contract agreement with EPA.

On [REDACTED] 2011 the RA received a letter of termination from [REDACTED] for [REDACTED], former EPA contractor. The termination letter indicated that [REDACTED] admitted to on [REDACTED] 2011 that [REDACTED] has an addiction to pornography and that [REDACTED] believes the EPA OIG is going to find evidence of having searched for pornographic material on [REDACTED]

RESTRICTED INFORMATION

government issued computer. The letter also indicated that [REDACTED] had not been truthful with [REDACTED] in [REDACTED] 2010 when [REDACTED] told [REDACTED] [REDACTED] had been accessing news sites when the IG began investigating possible malicious activity on [REDACTED] computer. The letter terminated [REDACTED] employment effective [REDACTED] 2011, for violation of the [REDACTED] Standards of Conduct as contained in the Employee Handbook.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL**

TWO POTOMAC YARD  
2733 SOUTH CRYSTAL DRIVE  
ARLINGTON, VA 22202

**DATE:** August 26, 2015

**PREPARED BY:** SA [REDACTED]

**CASE #:** OI-AR-2012-ADM-0095

**CROSS REFERENCE #:**

**TITLE:** [REDACTED] GS-13, [REDACTED]

**CASE CLOSING REPORT**

Subject(s)	Location	Other Data
[REDACTED]	Washington, DC	

**VIOLATION(S):**

1. EPA Order 3120.1, Appendix A, Table of Penalties 3(a) – Where restricted information is not compromised and breach is unintentional
2. EPA Order 3120.1, Appendix A, Table of Penalties 5 – Making false, malicious or unfounded statements against coworkers, supervisors, subordinates or Government officials which tend to damage the reputation or undermine the authority of those concerned
3. EPA Order 3120.1, Appendix A, Table of Penalties 7 – Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful
4. EPA Order 3120.1, Appendix A, Table of Penalties 8 – Abusive or offensive language, gestures, or other conduct
5. EPA Order 3120.1, Appendix A, Table of Penalties 9 – Discourtesy to the public
6. EPA Order 3120.1, Appendix A, Table of Penalties 11 – Using Government property or Government employees in duty status for other than official purposes
7. EPA Order 3120.1, Appendix A, Table of Penalties 16 – Deliberate misrepresentation, falsification, concealment or withholding of a material fact, or refusal to testify or cooperate in an official proceeding
8. EPA Order 3120.1, Appendix A, Table of Penalties – Conducting personal affairs while in duty status

9. Title 5 CFR §2635.704 – An employee has the duty to protect and conserve Government property and shall not such property, or allow its use, for other than authorized purposes
10. Title 5 CFR §2635.705 – Unless authorized in accordance with law of regulations to use such time for other purposes, an employee shall use official time in an honest effort to perform official duties
11. 40 CFR §3.103 (d) – Take any action, whether specifically prohibited or not, which would result in or create a reasonable appearance of: (3) Impeding Government efficiency or economy
12. 40 CFR §3.103 (d) – Take any action, whether specifically prohibited or not, which would result in or create a reasonable appearance of: (6) Adversely affecting public confidence in the integrity of the Government or EPA
13. 40 CFR §3.104 – Use of Government property – Employees must not use or allow the use of Government-owned or leased property for other than official purposes
14. EPA Information Security Manual 2915A1, 7.3 – Appropriate use of the Internet – EPA’s policy for the appropriate use of the Internet is the same for all its information resources: (1) Information technology resources are to be used for authorized purposes only, and (2) The use of EPA information technology resources for unauthorized personal business is not allowed
15. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (1) using EPA network resources for official government business or for other authorize use in accordance with Agency policies
16. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (2) being aware of information security requirements associated with each system and application they use
17. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (4) managing and protecting their passwords
18. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (7) safeguarding sensitive information
19. EPA Order CIO 2101.0 – Policy on Limited Personal Use of Government Equipment – (C) You must not use Government office equipment for activities that are inappropriate (1) transferring or storing large electronic computer files using government equipment, (2) using Internet services that automatically download information, such as sports scores, stock prices, music or videos, or other continuous data streams such as radio stations, (3) voluntarily viewing, downloading, storing, transmitting or copying, either

electronically or from a hard copy, materials that are sexually explicit or sexually oriented

20. EPA Order CIO 2101.0 – Policy on Limited Personal Use of Government Equipment – Protecting the Security of EPA’s Systems – You are responsible for maintaining the confidentiality of your password and for all data that you place on or delete from an EPA computer

## **ALLEGATIONS:**

On March 1, 2012, [REDACTED], Office of Environmental Information, Environmental Protection Agency (EPA), Washington, DC, reported that [REDACTED] Office of Chemical Safety and Pollution Prevention (OCSPP), EPA, Washington, DC, allegedly downloaded pornographic images to an EPA shared file. Specifically, a preliminary review done by [REDACTED] revealed that [REDACTED] created the images on the drive.

During the course of this investigation, the OIG developed information that [REDACTED] had inappropriately mismanaged the security of his EPA-issued computer password. Specifically, [REDACTED] admitted that he maintained his EPA-issued computer password under the pad on his EPA desk. The OIG also developed information that [REDACTED] viewed and downloaded videos and movies to his EPA-issued computer.

The OIG OI determined there were three possible criminal and administrative violations that required investigation. The allegations investigated by OI were:

1. [REDACTED] viewed and downloaded pornographic material through the EPA network with his EPA-issued computer during his core EPA hours;
2. [REDACTED] accessed, watched, and downloaded movies and video clips through the EPA network with his EPA-issued computer during his core EPA hours; and
3. [REDACTED] may have comprised the security of his EPA-issued computer password and thereby the EPA network.

## **FINDINGS:**

Information was developed to support that [REDACTED] violated the following Code of Federal Regulations and EPA administrative policies with the viewing and downloading of pornographic materials as well as various movies and video clips with his EPA-issued computer through the EPA network during his core EPA hours:

- Title 5 CFR §2635.704;
- Title 5 CFR §2635.705;
- 40 CFR §3.103 (d);
- 40 CFR §3.104
- EPA Order 3120.1, Appendix A, Table of Penalties 7;

- EPA Order 3120.1, Appendix A, Table of Penalties 8;
- EPA Order 3120.1, Appendix A, Table of Penalties 9;
- EPA Order 3120.1, Appendix A, Table of Penalties 11;
- EPA Order 3120.1, Appendix A, Table of Penalties;
- EPA Order CIO 2101.0;
- EPA Information Security Manual 2915A1, 7.3

Information was developed to support that [REDACTED] violated EPA Agency Network Security Policy 8.14 and EPA Order CIO 2101.0 by placing the password for his EPA-issued computer underneath the deskpad of his EPA desk.

Additionally, during the course of his interview, information was developed to support that [REDACTED] violated EPA Order 3120.1, Appendix A, Table of Penalties 5 and 16 when he claimed that someone had been accessing his EPA-issued computer during off hours.

**DISPOSITION:** Supported; Closed.

On June, 2014, the OI presented a Report of Investigation to [REDACTED]  
[REDACTED] Office for Chemical Safety &  
Pollution Prevention (OCSPP), EPA, Washington, DC, and [REDACTED]  
[REDACTED] OCSPP, EPA, Washington, DC, regarding [REDACTED]

On [REDACTED] 2014, [REDACTED] was placed on administrative leave and barred from entering EPA facilities.

On [REDACTED], 2015, [REDACTED] notified [REDACTED] of the proposal for removal.

On [REDACTED] 2015, [REDACTED] retired in lieu of termination.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

June 2, 2014

**MEMORANDUM**

SUBJECT: [REDACTED]  
Case No. OI-AR-2012-ADM-0095

FROM: [REDACTED]  
Special Agent in Charge  
Office of Investigations  
Washington Field Office

TO: [REDACTED]  
Office of Chemical Safety and Pollution Prevention

Attached is a copy of our report of investigation on the above-captioned subject. The Washington Field Office (WFO), Office of Investigations (OI), Office of Inspector General (OIG), United States Environmental Protection Agency (EPA), initiated this investigation based on information provided by the Office of Environmental Information, EPA, Washington, DC.

This investigation developed information to support that [REDACTED] violated the following Code of Federal Regulations and EPA administrative policies with the viewing and downloading of pornographic materials as well as various movies and video clips with his EPA-issued computer through the EPA network during his core EPA hours:

- Title 5 CFR §2635.704;
- Title 5 CFR §2635.705;
- 40 CFR §3.103 (d);
- 40 CFR §3.104
- EPA Order 3120.1, Appendix A, Table of Penalties 7;
- EPA Order 3120.1, Appendix A, Table of Penalties 8;
- EPA Order 3120.1, Appendix A, Table of Penalties 9;
- EPA Order 3120.1, Appendix A, Table of Penalties 11;
- EPA Order 3120.1, Appendix A, Table of Penalties;
- EPA Order CIO 2101.0;
- EPA Information Security Manual 2915A1, 7.3

This investigation also developed information to support that [REDACTED] violated EPA Agency Network Security Policy 8.14 and EPA Order CIO 2101.0 by placing the password for his EPA-issued computer underneath the deskpad of his EPA desk.

Additionally, during the course of his interview, information was developed to support that [REDACTED] violated EPA Order 3120.1, Appendix A, Table of Penalties 5 and 16 when he claimed that someone had been accessing his EPA-issued computer during off hours.

As credible information was not developed to believe any criminal activity occurred, this investigation was not presented for criminal or civil action.

Please advise this office of any arrangements you have made or plan to make pertaining to any administrative action regarding [REDACTED]. Additionally, your attention is directed to the EPA Conduct and Discipline Manual, EPA Order 3120.1, which prescribes policies for administering disciplinary action within the Agency. The manual contains a list of offenses with suggested penalties, although the list of offenses is not intended to be all inclusive. For offenses not listed, penalties may be imposed consistent with penalties contained in the manual for offenses of comparable gravity.

The information in the Conduct and Discipline Manual is to assist you in determining what action, if any, is warranted; however, it does not constitute a "charge" against [REDACTED]. It is the responsibility of the action official alone to evaluate the information contained in the report and to decide whether action under any part of the Conduct and Discipline Manual is appropriate.

In order that we may satisfy our reporting requirement to Congress and the Administrator, please advise this office within 30 days of the administrative action taken or proposed by you in this matter. This report is "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. Portions of it may be used by appropriate officials for administrative action. Please return our report after your review of this matter is completed.

It is highly recommended that you confer with the Office of General Counsel and the Office of Human Resources to ensure that any action proposed is appropriate and equitable, and for any necessary guidance about personnel regulations.

Should you have any questions, particularly regarding the investigative report, you are encouraged to contact Special Agent [REDACTED] or me at [REDACTED].

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
TWO POTOMAC YARD  
2733 SOUTH CRYSTAL DRIVE  
ARLINGTON, VA 22202

REFERRAL REPORT OF INVESTIGATION

CONCERNING [REDACTED] GS-13, [REDACTED]  
OI-AR-2012-ADM-0095

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Distribution:

[REDACTED]  
Office of Chemical Safety and Pollution  
Prevention  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
**With Attachments**

James Jones  
Assistant Administrator  
Office of Chemical Safety and Pollution  
Prevention  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
**Informational Purposes Only – No  
Attachments**

Submitted by:

[REDACTED]  
Special Agent  
Office of Investigations

Approved by:

[REDACTED]  
Special Agent in Charge  
Office of Investigations

Reviewed by:

*Patrick Sullivan* 6/3/14  
Patrick Sullivan  
Assistant Inspector General  
Office of Investigations

OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

**CASE NO.:** OI-AR-2012-ADM-0095 **DATE OPENED:** March 24, 2012  
**REPORT OF:** [REDACTED] GS-13, **CASE AGENT:** [REDACTED]  
**CASE CATEGORY:** Computer Crimes Non-Intrusion **OFFICE:** Washington Field Office  
**JOINT AGENCIES:** None **JURISDICTION:** District of Columbia

SECTION A - NARRATIVE

Introduction

This investigation was initiated on March 1, 2012, based on information provided by [REDACTED] Office of Environmental Information, EPA, Washington, DC regarding [REDACTED] Office of Chemical Safety and Pollution Prevention (OCSPP), EPA, Washington, DC, who allegedly downloaded pornographic images to an EPA shared file. Specifically, a preliminary review done by [REDACTED] revealed that [REDACTED] created the images on the drive. (Exhibit 1)

During the course of this investigation, the OIG developed information that [REDACTED] had inappropriately mismanaged the security of his EPA-issued computer password. (Exhibit 2) Specifically [REDACTED] admitted that he maintained his EPA-issued computer password under the pad on his EPA desk. The OIG also developed information that [REDACTED] viewed and downloaded videos and movies to his EPA-issued computer. (Exhibit 3)

The OIG OI determined there were three possible criminal and administrative violations that required investigation. The allegations investigated by OI were:

1. [REDACTED] viewed and downloaded pornographic material through the EPA network with his EPA-issued computer during his core EPA hours;
2. [REDACTED] accessed, watched, and downloaded movies and video clips through the EPA network with his EPA-issued computer during his core EPA hours; and
3. [REDACTED] may have comprised the security of his EPA-issued computer password and thereby the EPA network.

**Possible violations:**

1. EPA Order 3120.1, Appendix A, Table of Penalties 3(a) – Where restricted information is not compromised and breach is unintentional
2. EPA Order 3120.1, Appendix A, Table of Penalties 5 – Making false, malicious or unfounded statements against coworkers, supervisors, subordinates or Government officials which tend to damage the reputation or undermine the authority of those concerned
3. EPA Order 3120.1, Appendix A, Table of Penalties 7 – Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful
4. EPA Order 3120.1, Appendix A, Table of Penalties 8 – Abusive or offensive language, gestures, or other conduct
5. EPA Order 3120.1, Appendix A, Table of Penalties 9 – Discourtesy to the public
6. EPA Order 3120.1, Appendix A, Table of Penalties 11 – Using Government property or Government employees in duty status for other than official purposes
7. EPA Order 3120.1, Appendix A, Table of Penalties 16 – Deliberate misrepresentation, falsification, concealment or withholding of a material fact, or refusal to testify or cooperate in an official proceeding
8. EPA Order 3120.1, Appendix A, Table of Penalties – Conducting personal affairs while in duty status
9. Title 5 CFR §2635.704 – An employee has the duty to protect and conserve Government property and shall not such property, or allow its use, for other than authorized purposes
10. Title 5 CFR §2635.705 – Unless authorized in accordance with law of regulations to use such time for other purposes, an employee shall use official time in an honest effort to perform official duties
11. 40 CFR §3.103 (d) – Take any action, whether specifically prohibited or not, which would result in or create a reasonable appearance of: (3) Impeding Government efficiency or economy
12. 40 CFR §3.103 (d) – Take any action, whether specifically prohibited or not, which would result in or create a reasonable appearance of: (6) Adversely affecting public confidence in the integrity of the Government or EPA
13. 40 CFR §3.104 – Use of Government property – Employees must not use or allow the use of Government-owned or leased property for other than official purposes
14. EPA Information Security Manual 2915A1, 7.3 – Appropriate use of the Internet – EPA's policy for the appropriate use of the Internet is the same for all its information resources: (1)

Information technology resources are to be used for authorized purposes only, and (2) The use of EPA information technology resources for unauthorized personal business is not allowed

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17. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (4) managing and protecting their passwords
18. EPA Agency Network Security Policy 8.14 – EPA employees and contractors are responsible for (7) safeguarding sensitive information
19. EPA Order CIO 2101.0 – Policy on Limited Personal Use of Government Equipment – (C) You must not use Government office equipment for activities that are inappropriate (1) transferring or storing large electronic computer files using government equipment, (2) using Internet services that automatically download information, such as sports scores, stock prices, music or videos, or other continuous data streams such as radio stations, (3) voluntarily viewing, downloading, storing, transmitting or copying, either electronically or from a hard copy, materials that are sexually explicit or sexually oriented
20. EPA Order CIO 2101.0 – Policy on Limited Personal Use of Government Equipment – Protecting the Security of EPA's Systems – You are responsible for maintaining the confidentiality of your password and for all data that you place on or delete from an EPA computer

### Synopsis

Information was developed to support that [REDACTED] violated the following Code of Federal Regulations and EPA administrative policies with the viewing and downloading of pornographic materials as well as various movies and video clips with his EPA-issued computer through the EPA network during his core EPA hours:

- Title 5 CFR §2635.704;
- Title 5 CFR §2635.705;
- 40 CFR §3.103 (d);
- 40 CFR §3.104
- EPA Order 3120.1, Appendix A, Table of Penalties 7;
- EPA Order 3120.1, Appendix A, Table of Penalties 8;
- EPA Order 3120.1, Appendix A, Table of Penalties 9;
- EPA Order 3120.1, Appendix A, Table of Penalties 11;
- EPA Order 3120.1, Appendix A, Table of Penalties;
- EPA Order CIO 2101.0;
- EPA Information Security Manual 2915A1, 7.3

Information was developed to support that [REDACTED] violated EPA Agency Network Security Policy 8.14 and EPA Order CIO 2101.0 by placing the password for his EPA-issued computer underneath the desypad of his EPA desk.

Additionally, during the course of his interview, information was developed to support that [REDACTED] violated EPA Order 3120.1, Appendix A, Table of Penalties 5 and 16 when he claimed that someone had been accessing his EPA-issued computer during off hours.

### Details

#### Investigation Disclosed Allegations Supported

**Allegation:** [REDACTED] intentionally viewed and downloaded pornographic material through the EPA network with his EPA-issued computer during his core hours.

**Allegation Findings:** The results of numerous interviews of various EPA employees, to include a sworn statement from [REDACTED] and a review of images on [REDACTED] EPA-issued computer support the allegation that [REDACTED] intentionally viewed and downloaded pornographic material through the EPA network with his EPA-issued computer during his core hours.

**Investigative Results:** On March 1, 2012, the OIG interviewed [REDACTED] (Exhibit 4) According to [REDACTED] OCSPP, EPA, Washington, DC, found the pornographic images accidentally while in an EPA shared drive folder. [REDACTED] was notified about the incident on March 29, 2012 at 4:16 PM, and [REDACTED] Office of Program Management Operations, OCSPP, EPA, Washington, DC, for more details at 4:22 PM. [REDACTED] also spoke to [REDACTED] to follow-up on what steps they would take.

[REDACTED] stated the folder on the shared drive was used from 2005-2009 by OSCPP, but it was now inactive. The information associated with the pornographic images indicated they were placed in the file by [REDACTED] which he last accessed on February [REDACTED]. It appeared to [REDACTED] that [REDACTED] either downloaded several of the images from "Tumblr", a social networking website similar to Twitter, or from an email. There was also a BMP image, which [REDACTED] most likely received by email. [REDACTED] believed [REDACTED] accidentally saved the images into the folder on the shared drive when he [REDACTED] meant to save it to a folder on his EPA issued computer. [REDACTED] added that all of these images were purposely saved; these could not be images based on something that [REDACTED] accidentally accessed on the Internet.

According to [REDACTED] [REDACTED] had two EPA laptops assigned to him; one of them contained confidential business information (CBI) and would not have access to the Internet.

On March 1, 2013, [REDACTED] [REDACTED] OCSPP, EPA, Washington, DC, provided the EPA OIG with documents pertaining to the steps his office took to identify the pornographic images on the shared drive that was traced back to [REDACTED] (Exhibit 5)

On March [REDACTED] 2013, the OIG interviewed [REDACTED] OCSPP, EPA, Washington, DC. (Exhibit 6) According to [REDACTED] OCSPP, EPA, Washington, DC, initially notified [REDACTED] OCSPP, EPA, Washington, DC) via email that [REDACTED] (NFI) discovered pornographic images on an EPA shared-drive.

On December [REDACTED] 2012, the OIG interviewed [REDACTED] regarding the pornographic allegations (Exhibit 2). After the OIG showed [REDACTED] the pornographic images discovered by [REDACTED] staff on February [REDACTED] (Exhibit 2 – Attachment 2), [REDACTED] stated he did not recognize the images. When the OIG asked if he ever viewed pornographic materials on his EPA-issued computer, he stated he had viewed the materials through emails sent to him as well as various websites, although in approximately 2011, the EPA systems began to block certain websites. [REDACTED] stated he received some of the pornographic images via emails from former EPA employee [REDACTED] (phonetic), who [REDACTED]. He also received pornographic images via emails from non-EPA individuals (NFI). [REDACTED] often downloaded images from the website “Webshots”, but none to his knowledge were pornographic.

After the OIG showed [REDACTED] various pornographic images that the OIG found on his EPA-issued computer, [REDACTED] stated he did recognize some of the images, although he could not say he recognized all of them. When the OIG asked if he understood the EPA’s policy on use of EPA computers, he stated he did. He stated he knew that viewing pornographic images was not in accordance with the computer policy.

[REDACTED] stated he reviewed the pornographic images because he was curious. He stated he was interested in breast augmentation as well as in how people developed their physique. When the OIG asked why he chose to view pornographic images on his EPA-issued computer, [REDACTED] stated he had “opportunity” to do so as well as “downtime”. He stated he visited a lot of websites accidentally and the pornographic images just popped-up.

Additionally, [REDACTED] stated he often researched chemicals that took him to websites with pornographic images, such as what sort of side effects certain chemicals had on male impotency. When the OIG asked if breast augmentation had anything to do with his work, [REDACTED] stated he had reviewed the [REDACTED] for work he had done with [REDACTED].

After reviewing the image that the OIG found on his EPA-issued computer of a young girl holding a toad (Exhibit 2 – Attachment 3), [REDACTED] stated he felt this was a “beautiful image”. He further stated, “I’m a romantic; it’s a beautiful image.” He believed he obtained the image from a medical website (NFI). [REDACTED] claimed he [REDACTED], so people often sent him images containing [REDACTED]. When the OIG repeatedly asked if he could understand why this image was of concern, he stated he guessed he could, but he felt it was a beautiful image. [REDACTED] stated he has other artistic images like this on his EPA-issued computer.

After reviewing an image that the OIG found on his EPA-issued computer of a young boy holding a teddy bear (Exhibit 2 – Attachment 4), [REDACTED] stated he had “no idea” about the image. He stated there were times when he was on a website and images would appear that he had not clicked on.

After reviewing an image that the OIG found on his EPA-issued computer of what appeared to be two young nude females, [REDACTED] claimed, “I have never seen this photo before.”

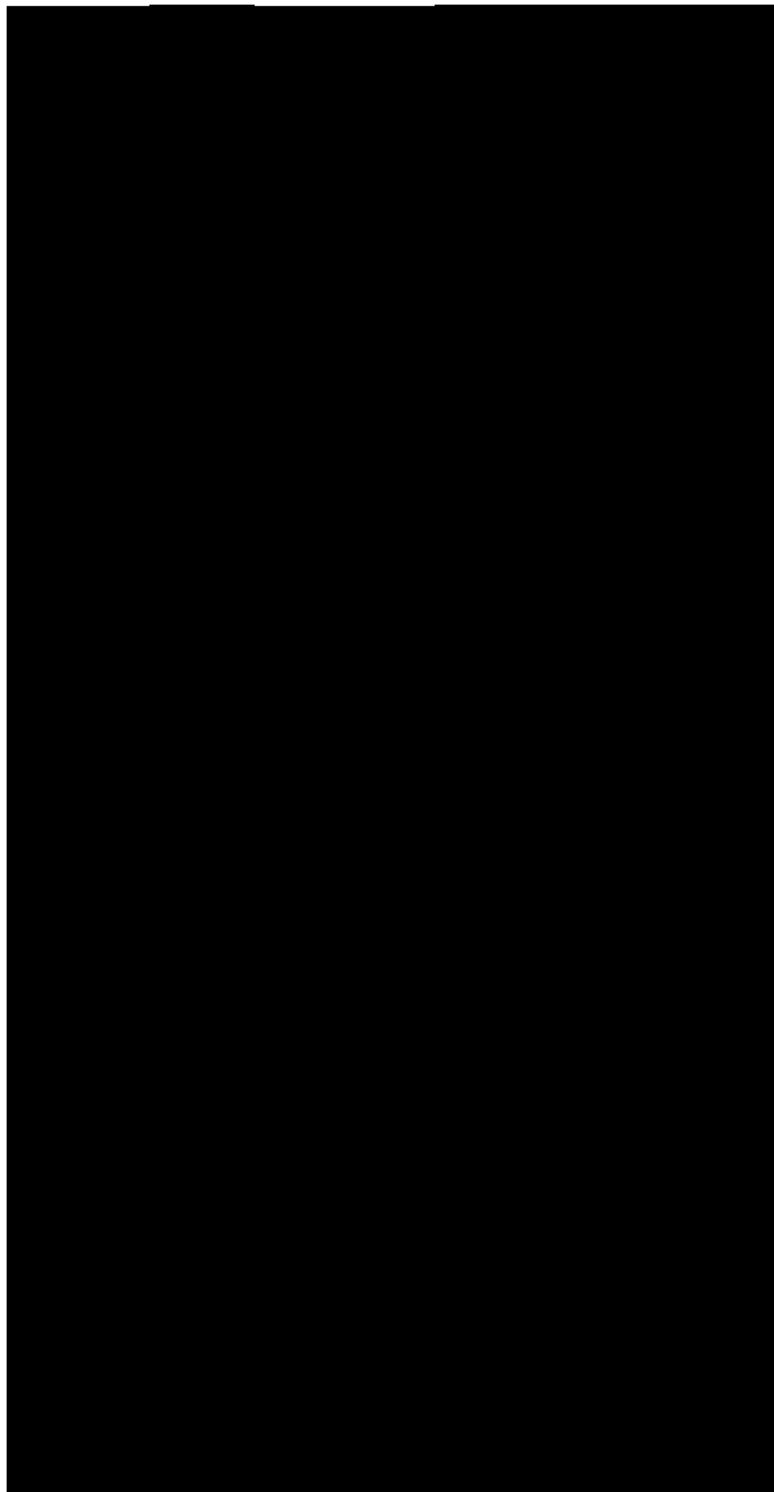
█████ stated he had recently noticed lights left on in his cubicle as well as his computer turned on when he arrived to work in the mornings. He stated he kept his password under his desk pad and that perhaps someone knew about this.

After reviewing the document that the OIG found on his EPA-issued computer regarding graphic sexual descriptions of various women (Exhibit 2 – Attachment 5) █████ stated he recognized the document. He stated he wrote this at home and “loaded it [onto his EPA-issued computer] just for storage.” He stated it was “my efforts at vintage eroticism.” █████ stated none of the characters in the writing were based on individuals, but rather they were composites of various individuals he had known.

At the conclusion of the interview, █████ provided agents with a signed sworn statement (Exhibit 2 – Attachment 7). Additionally, he turned over his EPA-issued computer to the OIG.

On February 15, 2013, the OIG reviewed alarm reports and card reader reports for the EPA █████ rooms █████ that █████ Security Management Division, Office of Administration and Resource Management, EPA, Washington, DC, provided. (Exhibit 7) The OIG reviewed these reports to determine if there was any credence to █████ claim that he believed someone else had gained access to his EPA-issued computer after hours through the password he left on his desk. These two doors were the only access to the █████ area. Review of the alarm reports revealed some questionable times and/or days (ie. late hours or weekends) at which point the alarm was deactivated/reactivated at either room █████:

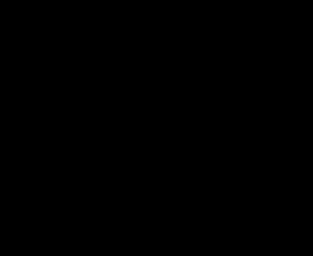
Date	Rm	Time	Name	Nbr	Note
█████	█████	█████	█████	█████	Open
█████	█████	█████	█████	█████	Close
█████	█████	█████	█████	█████	Open Saturday
█████	█████	█████	█████	█████	Close Saturday
█████	█████	█████	█████	█████	Open Sunday
█████	█████	█████	█████	█████	Close Sunday
█████	█████	█████	█████	█████	Open Sunday
█████	█████	█████	█████	█████	Close Sunday
█████	█████	█████	█████	█████	Open Sunday
█████	█████	█████	█████	█████	Close Sunday
█████	█████	█████	█████	█████	Open Saturday
█████	█████	█████	█████	█████	Close Saturday
█████	█████	█████	█████	█████	Open Sunday
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Based on the questionable alarm deactivations/reactivations, SA [REDACTED] reviewed corresponding time/dates for the card swipe reports for doors [REDACTED]

On February 19, 2013, the OIG interviewed [REDACTED] OCSPP, EPA, Washington, DC, to obtain more information regarding access to [REDACTED] building (Exhibit 8). After the OIG showed the documents regarding access to the [REDACTED] area through these doors,



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On March 15, 2013, [REDACTED] identified the following individuals as: (Exhibit 9)

- [REDACTED] – EPA employee [REDACTED]
- [REDACTED] EPA employee [REDACTED]
- [REDACTED] – EPA employee in the Office of Water
- [REDACTED] – EPA contractor for OCSPP
- [REDACTED] – EPA contractor for OCSPP
- [REDACTED] – [REDACTED] contractor for [REDACTED]
- [REDACTED] EPA employee for OEI
- [REDACTED] – [REDACTED] contractor for [REDACTED]

Additionally, the OIG was able to confirm through [REDACTED] on the key card access reports was when EPA security officers swiped an access pad to show they had conducted their sweep. (Exhibit 9) The security officers swipe their cards not to gain access, since they do not have the ability to do so, but to document they conducted their rounds and at what time.

On August 8, 2013, the OIG reviewed an email summary provided by [REDACTED] Detective, [REDACTED] Criminal Investigations Division, City of Fairfax Police Department, 3730 Old Lee Highway, Fairfax, VA 22030, about the [REDACTED] (b) (7)(E) images found on [REDACTED] EPA-issued computer (Exhibit 10).

(b) (7)(E), (b) (7)(C), (b) (6)

(b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED] looked over those images, and based on [REDACTED] opinion, [REDACTED] (b) (5)

On August 15, 2013, the OIG reviewed the EPA log-on banner that appears when an EPA employee logs-on to their EPA-issued computer. (Exhibit 11) An employee must click “OK” in order to continue the log-on process. The banner reads as follows:

**GOVERNMENT WARNING NOTICE!**

*You are accessing a US Government information system, which includes (1) this computer, (2) this computer network, (3) all computers connected to this network, and (4) all devices and storage media attached to this network or to a computer on this network. This information system is provided for US Government-authorized use only. Unauthorized or improper use of this system may result in disciplinary action, as well as civil and criminal penalties. By using this information system you understand and consent to the following:*

*" You have no reasonable expectation of privacy regarding any communications or data transiting or stored on this information system. At any time, the government may for any lawful government purpose monitor, intercept, search and seize any communication or data transiting or stored on this*

information system ". Any communications or data transiting or stored on this information system may be disclosed or used for any lawful government purpose " Click OK: I AGREE.

On September 11, 2013, the OIG completed a review of pornographic material found on [REDACTED] EPA-issued computer. (Exhibit 12) The result of the OIG's May 21, 2012 imaging of [REDACTED] EPA-issued computer resulted in approximately 507 pornographic images. Of those, 399 of the images were found either on [REDACTED] user account and/or recovered files. There were also four images found of what appeared to be partially-nude children.

The remaining 108 images were found under [REDACTED] user account. Information provided by [REDACTED] Security Management Division (SMD), Office Administration and Resources Management (OARM), EPA, Washington, DC, indicated that [REDACTED] had been a contractor under the EPA contract [REDACTED] which expired in [REDACTED]. According to [REDACTED] documentation [REDACTED] was still listed as an active contractor, although this could have been because the contracting officer representative, [REDACTED] had not removed him. Follow-up with [REDACTED] indicated that [REDACTED] was no longer in SMD's system as having an EPA badge. Follow-up with [REDACTED] indicated that [REDACTED] was no longer present at the EPA.

The result of OI's December 5, 2012 imaging of [REDACTED] EPA-issued computer resulted in 29 new pornographic images added to the computer since the May 2012 imaging.

On November 5, 2013, the OIG reviewed training information for [REDACTED] that was provided by [REDACTED] (NFI). (Exhibit 13) Per the documents, [REDACTED] received the following training:

- "FY13 Annual Records Management Training", completed on September [REDACTED] 2013;
- "FY13 Security Awareness Training", completed on June [REDACTED] 2013;
- "2013 Continuity of Operations (COOP) Awareness Training", completed on May [REDACTED] 2013;
- "EMS: Environmental Management System Awareness Training", completed on May [REDACTED] 2013;
- "Working Effectively with Tribal Governments", completed on September [REDACTED] 2012;
- "FY12 Information Security Awareness Training", completed on June [REDACTED] 2012; and
- "FY11 Cybersecurity Awareness Training", completed on September [REDACTED] 2011.

[REDACTED] also provided a copy of the training material for FY11 Cybersecurity Awareness Training. Per page 27 of the training, it stated, "users shall use EPA computer systems and information for official business and under the requirements described in the Agency's Personal Use Policy." Additionally:

*"Users are prohibited from engaging or attempting to engage in the following actions: unauthorized uploading, unauthorized downloading, unauthorized changing, unauthorized circumventing, or unauthorized deleting of information on EPA systems, unauthorized modifying EPA systems, unauthorized denying or granting access to EPA systems, or otherwise misusing EPA systems or resources. Such unauthorized attempt or acts may result in disciplinary or other adverse action, as well as criminal, civil, or administrative penalties. Depending on the severity of the violation, disciplinary or adverse action, consequences may include: suspension of access privileges, reprimand, suspension from work, demotion, or removal."*

██████ also provided a copy of the training material for EPA FY12 Information Security Awareness Training. The training contained the same information as above. ██████ also provided a copy of the training material for FY13 Information Security Awareness and Training. The training contained the same information as above.

**Allegation:** ██████ intentionally accessed and watched inappropriate Internet content, such as movies and video clips, through the EPA network with his EPA-issued computer during his core EPA hours.

**Allegation Findings:** The results of numerous interviews of various EPA employees, to include a sworn statement from ██████ and a review of videos and logs on ██████ EPA-issued computer support the allegation that ██████ intentionally accessed and watched inappropriate Internet content, such as movies and video clips, through the EPA network with his EPA-issued computer during his core EPA hours.

**Investigative Results:** On December 5, 2012, the OIG interviewed ██████ (Exhibit 2) When the OIG asked if he understood EPA's policy on use of EPA computers, he stated he did. He stated he often downloaded images from the website "Webshots." When the OIG asked if he spent any time on the website YouTube ██████ responded he did. He claimed he went to the website to listen to music. He stated he has watched movies during his lunch break and/or after his day ended at 3:30 PM because he often stayed later to wait on documents from other staff that were essential to him for reports due the following day.

On August 1, 2013, the OIG completed a review of summaries of video clip file, movie files, and music videos prepared by OI's Office of Cyber Intelligence pertaining to files found on ██████ EPA-issued computer. (Exhibit 3) Beginning in June ██████ over 2560 videos were accessed by ██████ a predominant portion during his core hours. Beginning in April ██████ over 435 music files were downloaded by ██████ a predominant portion during his core hours.

On August 15, 2013, the OIG reviewed the EPA log-on banner that appears when an EPA employee logs-on to their EPA-issued computer. (Exhibit 11) An employee must click "OK" in order to continue the log-on process. The banner reads as follows:

**GOVERNMENT WARNING NOTICE!**

*You are accessing a US Government information system, which includes (1) this computer, (2) this computer network, (3) all computers connected to this network, and (4) all devices and storage media attached to this network or to a computer on this network. This information system is provided for US Government-authorized use only. Unauthorized or improper use of this system may result in disciplinary action, as well as civil and criminal penalties. By using this information system you understand and consent to the following:*

*" You have no reasonable expectation of privacy regarding any communications or data transiting or stored on this information system. At any time, the government may for any lawful government purpose monitor, intercept, search and seize any communication or data transiting or stored on this information system ". Any communications or data transiting or stored on this information system may be disclosed or used for any lawful government purpose " Click OK: I AGREE.*

On September 11, 2013, the OIG completed a review of pornographic material found on [REDACTED] EPA-issued computer. (Exhibit 12) The result of the OIG's May 21, 2012 imaging of [REDACTED] EPA-issued computer resulted in the discovery of sexually explicit videos found on [REDACTED] EPA-issued computer.

On November 5, 2013, the OIG reviewed training information for [REDACTED] that was provided by [REDACTED] (NFI). (Exhibit 13) Per the documents, [REDACTED] received the following training:

- "FY13 Annual Records Management Training", completed on September [REDACTED] 2013;
- "FY13 Security Awareness Training", completed on June [REDACTED] 2013;
- "2013 Continuity of Operations (COOP) Awareness Training", completed on May [REDACTED] 2013;
- "EMS: Environmental Management System Awareness Training", completed on May [REDACTED] 2013;
- "Working Effectively with Tribal Governments", completed on September [REDACTED] 2012;
- "FY12 Information Security Awareness Training", completed on June [REDACTED] 2012; and
- "FY11 Cybersecurity Awareness Training", completed on September [REDACTED] 2011.

[REDACTED] also provided a copy of the training material for FY11 Cybersecurity Awareness Training. Per page 27 of the training, it stated, "users shall use EPA computer systems and information for official business and under the requirements described in the Agency's Personal Use Policy." Additionally:

*"Users are prohibited from engaging or attempting to engage in the following actions: unauthorized uploading, unauthorized downloading, unauthorized changing, unauthorized circumventing, or unauthorized deleting of information on EPA systems, unauthorized modifying EPA systems, unauthorized denying or granting access to EPA systems, or otherwise misusing EPA systems or resources. Such unauthorized attempt or acts may result in disciplinary or other adverse action, as well as criminal, civil, or administrative penalties. Depending on the severity of the violation, disciplinary or adverse action, consequences may include: suspension of access privileges, reprimand, suspension from work, demotion, or removal."*

[REDACTED] also provided a copy of the training material for EPA FY12 Information Security Awareness Training. The training contained the same information as above. [REDACTED] also provided a copy of the training material for FY13 Information Security Awareness and Training. The training contained the same information as above.

**Allegation:** [REDACTED] comprised the security of his EPA-issued computer password and thereby the EPA network.

**Allegation Findings:** The results of an interview with [REDACTED] as well as a sworn statement by him support the allegation that [REDACTED] compromised the security of his EPA-issued computer password and thereby the EPA network.

**Investigative Results:** On December 5, 2012, the OIG interviewed [REDACTED] (Exhibit 2) During the course of the interview [REDACTED] stated he believed others had accessed his EPA-issued computer because he had recently noticed lights left on in his cubicle as well as his computer turned on when he arrived to work in the mornings. He stated he kept his password under his desk pad and perhaps someone knew about this.

On November 5, 2013, the OIG reviewed training information for [REDACTED] that was provided by [REDACTED] (NFI). (Exhibit 13) Per the documents, [REDACTED] received the following training:

- “FY13 Annual Records Management Training”, completed on September [REDACTED] 2013;
- “FY13 Security Awareness Training”, completed on June [REDACTED] 2013;
- “2013 Continuity of Operations (COOP) Awareness Training”, completed on May [REDACTED] 2013;
- “EMS: Environmental Management System Awareness Training”, completed on May [REDACTED] 2013;
- “Working Effectively with Tribal Governments”, completed on September [REDACTED] 2012;
- “FY12 Information Security Awareness Training”, completed on June [REDACTED] 2012; and
- “FY11 Cybersecurity Awareness Training”, completed on September [REDACTED] 2011.

Per page 28 of the FY11 Cybersecurity Awareness Training, “Users shall protect information and information systems through effective use of user IDs and passwords. Users shall adequately protect their passwords at all times. Users shall not share their logon or account passwords with anyone (including the help desk personnel).” Additionally, “users shall promptly report security violations and vulnerabilities to proper authorities.” Per page 29 of the training, instructions are given that general use rules include not writing down passwords.

[REDACTED] also provided a copy of the training material for EPA FY12 Information Security Awareness Training. The training contained the same information as above [REDACTED] also provided a copy of the training material for FY13 Information Security Awareness and Training. The training contained the same information as above.

### **Investigation Disclosed Allegations Not Supported**

#### **Disposition**

As credible information was not developed to believe any criminal activity occurred, this investigation was not presented for criminal or civil action. However, due to the appearance of inappropriate behavior on the part of [REDACTED] as an EPA employee and potential violation of Federal and EPA regulations, this Report of Investigation is being referred to [REDACTED] Office of Chemical Safety and Pollution Prevention, EPA, Washington, DC, for administrative remedies or actions deemed appropriate.

### **SECTION B – ENTITIES AND INDIVIDUALS**

**Name of Person:** [REDACTED]  
**Title & Company:** [REDACTED] OCSPP, EPA  
**Role:** Subject  
**Business Address:** 1200 PENNSYLVANIA AVENUE, NW, WASHINGTON, DC

**Business Phone:**  
**EPA Employee:** Yes

### SECTION C – PROSECUTIVE STATUS

As credible information was not developed to believe any criminal activity occurred, this investigation was not presented for criminal or civil action.

## EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1.	Initial Complaint, dated March 1, 2012
2.	Memorandum of Interview – [REDACTED] dated December 12, 2012
3.	Memorandum of Activity – Review of videos, dated August 1, 2013
4.	Memorandum of Interview – [REDACTED] dated March 1, 2012
5.	Memorandum of Activity – [REDACTED] dated March 1, 2012
6.	Memorandum of Activity – [REDACTED] dated March 1, 2012
7.	Memorandum of Activity – Review of door access, dated February 15, 2013
8.	Memorandum of Interview – [REDACTED] dated February 19, 2013
9.	Memorandum of Activity – Update of door access, dated August 15, 2013
10.	Memorandum of Activity – Review of (b) (7)(E) [REDACTED] dated August 8, 2013
11.	Memorandum of Activity – Review of log-on banner, dated August 15, 2013
12.	Memorandum of Activity – Review of images, dated September 11, 2013
13.	Memorandum of Activity – Review of training, dated November 5, 2013



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: FEBRUARY 4, 2014

PREPARED BY: [REDACTED]

CASE #: OI-AR-2012-ADM-0189

CROSS REFERENCE #:

TITLE: [REDACTED]

CASE CLOSING REPORT

Subject(s)	Location	Other Data
[REDACTED]	[REDACTED]	[REDACTED]

**VIOLATION(S):** EPA's Appendix-Guidance on Corrective Discipline, EPA ORDER 3120.1; EPA's Policy for Preventing Violence in the Workplace, No. 1400.1(2000)

**ALLEGATION:** On [REDACTED] 2012, [REDACTED] Human Resources Specialist (Labor and Employee Relations), U.S. Environmental Protection Agency (EPA), provided information concerning allegations that, between on or about [REDACTED] 2012 to [REDACTED] 2012, [REDACTED]

[REDACTED] EPA, made threats and possessed dangerous weapons while at [REDACTED] which is located at the [REDACTED].

**FINDINGS:** During the course of the investigation, which included numerous interviews, the execution of a search warrant, the collection of physical evidence, and the analysis of various emails, the following was disclosed: (1) [REDACTED] made a threat to "kick" the "ass" of [REDACTED] EPA employee, (2) [REDACTED] took, without permission, approximately forty-three pieces of Government property to his house for personal use, (3) [REDACTED] while in an agitated state, put his hand on the shoulder of [REDACTED] EPA employee and stated "there will be consequences." (4) [REDACTED] requested technical assistance for his computer and, after receiving help from [REDACTED], tossed the laptop computer on the floor, (5) [REDACTED] that bordered [REDACTED], he would [REDACTED] at the driver, pull him off, and take care of him, (6) [REDACTED] on one occasion while in the office, screamed, "I'm tired of this PC stuff. Fuck everyone." (7) [REDACTED] viewed and sent a [REDACTED] colleague an email which contained a photograph of topless women, (8) [REDACTED] allowed his wife to conduct personal business on his Government issued computer, (9) [REDACTED] made an inappropriate comment concerning an EPA employee's ethnicity during a meeting, and (10) There was no evidence to substantiate the allegation that [REDACTED] possessed dangerous weapons while at the [REDACTED].

**DISPOSITION:** As a result of the OIG's report of investigation, [REDACTED]

[REDACTED] Office of Chemical Safety and Pollution Prevention (OCSP) substantiated a proposed fourteen (14) day suspension against [REDACTED] which was effective [REDACTED].



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
1301 CONSTITUTION AVE, NW  
EPA WEST BUILDING  
WASHINGTON, DC 20004

REFERRAL REPORT OF INVESTIGATION CONCERNING

[REDACTED]  
**OI-AR-2012-ADM-0189**

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Distribution:

[REDACTED]  
Office of Chemical Safety and  
Pollution Prevention  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460


Submitted by:

[REDACTED]  
Special Agent  
Office of Professional Responsibility  
Office of Investigations

Approved by:

[REDACTED]  
Special Agent in Charge  
Office of Professional Responsibility  
Office of Investigations

Reviewed by:

  
Patrick Sullivan  
Assistant Inspector General  
Office of Investigations

OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

CASE NO.: OI-AR-2012-ADM-0189      DATE OPENED: August 14, 2012  
CASE TITLE: [REDACTED]      REPORT DATE: February 25, 2013  
CASE CATEGORY: Employee Integrity      CASE AGENT: [REDACTED]  
JOINT AGENCIES: NONE      OFFICE: Office of Professional Responsibility (OPR)  
JURISDICTION: [REDACTED]

SECTION A - NARRATIVE

Predication

On [REDACTED] 2012, [REDACTED] Human Resources Specialist (Labor and Employee Relations), U.S. Environmental Protection Agency (EPA), provided information concerning allegations that, between on or about [REDACTED] 2012 to [REDACTED] 2012, [REDACTED] EPA, made threats and possessed dangerous weapons while at [REDACTED] which is located at [REDACTED] (Exhibit 1).

Possible violations

EPA's Appendix-Guidance on Corrective Discipline, EPA ORDER 3120.1  
EPA's Policy for Preventing Violence in the Workplace, No. 1400.1(2000)

Impact/Dollar Loss

Employee misconduct.

Synopsis

During the course of the investigation, which included numerous interviews, the execution of a search warrant, the collection of physical evidence, and the analysis of various emails, the following was disclosed:

- (1) [REDACTED] made a threat to "kick" the "ass" of [REDACTED] EPA employee,

- (2) [REDACTED] took, without permission, approximately forty-three pieces of Government property to his house for personal use,
- (3) [REDACTED] while in an agitated state, put his hand on the shoulder of a [REDACTED] EPA employee and stated "there will be consequences."
- (4) [REDACTED] requested technical assistance for his computer and, after receiving help from [REDACTED] tossed the laptop computer on the floor,
- (5) [REDACTED] when told [REDACTED] bordered the [REDACTED] [REDACTED] he would [REDACTED] at the driver, pull him off, and take care of him,
- (6) [REDACTED] on one occasion while in the office, screamed, "I'm tired of this PC stuff. Fuck everyone."
- (7) [REDACTED] viewed and sent [REDACTED] an email which contained a photograph of topless women<sup>1</sup>,
- (8) [REDACTED] allowed his wife to conduct personal business on his Government issued computer,
- (9) [REDACTED] made an inappropriate comment concerning an EPA employee's ethnicity during a meeting.
- (10) There was no evidence to substantiate the allegation that [REDACTED] possessed dangerous weapons while at [REDACTED]

Additionally, this investigation includes [REDACTED] medical [REDACTED] [REDACTED] as well as [REDACTED] explanation of [REDACTED]

### Details

#### **I. [REDACTED] threatened bodily harm to an EPA Employee.**

On [REDACTED] 2012, during an interview, [REDACTED] confirmed he previously stated, while referring to [REDACTED] EPA [REDACTED] that he would "kick [REDACTED] ass." However, [REDACTED] related he was joking and did not mean it. [REDACTED] believed the conversation was overheard by [REDACTED] who then told [REDACTED] EPA, about the incident. [REDACTED] explained that, at the time he made the comment, he had been irritable for the last six months due to his work on a project known as the [REDACTED]. Although [REDACTED] team had worked on the project for approximately [REDACTED] years, he and [REDACTED] were at odds regarding the project's start time. [REDACTED] felt [REDACTED] him when he needed help (Exhibit 2).

In [REDACTED] sworn statement, dated [REDACTED] 2012, [REDACTED] stated:

<sup>1</sup> At this time, the Office of Computer Intrusions (OCI), OI, OIG, EPA, is conducting a forensic review of [REDACTED] desktop and laptop computers for additional inappropriate images, the results of which, if positive, will be incorporated into this allegation.

After a few moments, [REDACTED] voice escalated to the point that [REDACTED] could easily hear what was being said. [REDACTED] stated that he was fed up with [REDACTED] and wanted something done. It was obvious from his voice and use of language that he was angry and extremely agitated. [REDACTED] said that if [REDACTED] didn't shape up that [REDACTED] said that he would contact HR and see to it that action was taken. *Further [REDACTED] went on to say that he would meet [REDACTED] and beat [REDACTED] ass. (Emphasis added) (Exhibit 3)*

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] EPA [REDACTED] stated that on:

[REDACTED] 2012...At approximately 1:00 P.M. today, the [REDACTED] had a meeting to discuss [REDACTED] data and plans to implement this project. [REDACTED] attended the meeting and about 1:15 P.M., exited the meeting and was in the hallway [REDACTED] He was agitated and in a very loud voice stated that he was fed up with [REDACTED] and wanted something done. [REDACTED] said that if [REDACTED] didn't shape up the [sic] [REDACTED] ass. [REDACTED] said that he would contact HR and see to it that action was taken. [REDACTED] then said that he would take [REDACTED] and beat [REDACTED] ass. (Emphasis added) (Exhibit 4)

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] stated further:

At approximately [REDACTED] met [REDACTED] outside the building to discuss his outburst. [REDACTED] said that he was joking about beating [REDACTED] ass and that he did not mean it. [REDACTED] that this is bordering on workplace violence and if someone had overheard this it would be bad for him. He agreed and apologized for this outburst. [REDACTED] said that he was frustrated with [REDACTED] conduct and would not tolerate [it] much longer. (Exhibit 3)

On [REDACTED] 2012, during an interview [REDACTED] stated that on [REDACTED] 2012, [REDACTED] held a meeting to discuss the ongoing [REDACTED] During this meeting, [REDACTED] informed [REDACTED] that there was no [REDACTED] was the [REDACTED] and was responsible for [REDACTED] did not want to discuss this subject and asked if he could leave [REDACTED] stated he also informed [REDACTED] noted [REDACTED] was impatient and, again, asked to leave (Exhibit 5).

[REDACTED] then brought up the issue of [REDACTED] told [REDACTED] to solve the problem and, at that time, [REDACTED] began leaving the meeting. [REDACTED] said, "thanks for the help, [REDACTED] replied to [REDACTED] "stop fucking around with me." [REDACTED] then returned to [REDACTED] A few minutes later, [REDACTED] came to [REDACTED] old [REDACTED] that [REDACTED] stated [REDACTED] was going [REDACTED] and was

going to meet [REDACTED] outside [REDACTED] and beat [REDACTED] ass. [REDACTED] also told [REDACTED] that [REDACTED] informed [REDACTED] that [REDACTED] cannot make such statements (Exhibit 5).

**II. [REDACTED] stole, or had the unauthorized possession of, government property (laboratory equipment).**

On [REDACTED] 2012, [REDACTED] admitted to taking several items from the [REDACTED] which is located on [REDACTED] stated he was told by [REDACTED] the items in the [REDACTED] were going to be disposed of, but admitted he should have obtained a property pass. [REDACTED] subsequently volunteered to return the items back to the EPA (Exhibit 2).

On [REDACTED] 2012, [REDACTED] voluntarily returned the following forty-three pieces of Government property, which were located inside the [REDACTED] household, located at [REDACTED] to EPA OIG SAs (Exhibit 6):

NUMBER	ITEM
1	Blender jar (clear) with pickled pepers dated 8/1/12
2	Cork lid clear beaker labeled Hydrochloric Acid HCL (clear)
3	200ML Pyrex glass beaker #1261 (clear)
4	250ML Pyrex beaker #1000 (clear)
5	600ML Kimax clear beaker #1400
6	5.0ML beaker (clear) with red glass stopper
7	4.0ML beaker (clear) with red glass stopper
8	4.0ML beaker (clear) with red glass stopper
9	50ML pyrex clear glass beaker #1000
10	250ML pyrex clear glass beaker #1002
11	600ML Kimax clear glass beaker #1400
12	Plastic funnel 4 OZ Hutzler
13	Kimax clear glass funnel
14	6 inch clear cylindrical blender
15	8 inch cone shaped beaker
16	7 inch clear cylindrical beaker
17	6 inch 100ML beaker – red
18	3 smaller tubes, clear, with gold rim and long narrow neck
19	3 slightly larger tubes, clear with gold rim and long narrow neck
20	Pyrex clear glass bowls 150x75, No 3140, cracked
21	10ML clear glass beaker
22	30ML Pyrex clear glass beaker No. 1000
23	Pyrex 1ML clear glass beaker
24	3 glass beaker stoppers/lids
25	Plastic bag containing plastic item “Respironics”
26	Supelco 5.0ML glass clear beaker

27	10ML kimax
28	Supelco 6-4695, 10 clear glass beaker
29	19/22 10 clear glass beaker with yellow writing
30	Fleaker by Corning clean glass 400ML
31	Glass clear funnel Kimax USA
32	Plastic funnel Hutzler
33	Pyrex red glass 25ML beaker
34	Orange glass bottle without a stopper
35	Steel blender with steel lid
36	Dell computer tower EPA# [REDACTED], Service Tag [REDACTED]
37	Pyrex #36060 clear glass
38	Plastic funnel Hutzler
39	Dell keyboard SN=[REDACTED]
40	Dell monitor SN=[REDACTED]
41	Large glass configuration - partially broken
42	Miscellaneous safety equipment including bio hazard bag
43	Canister with earplugs and two orange prescription pills

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] stated:

[REDACTED] took the following items home. Items, that [REDACTED] removed [REDACTED] are: 1. Commercial blender, with heavy base, Waring Commerical Blender; 2. Commercial blender that uses compressed gas (air) to drive the blender, Waring Laboratory Blender; 3. Several (8-10) unique pieces of glassware. These items are similar to the old medicine bottles that had the pipette in the opening. These were approximately 250ml containers that had labels etched into the glass. The label would contain chemical names on them. Such as, nitric acid, ether, H2SO4, etc. (Exhibit 3)

**III. [REDACTED] engaged in abusive, or offensive language or gestures, by making verbal or physical attacks intended to harm, intimidate, harass, frighten, or other disruptive behavior.**

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] explained [REDACTED] occurrence during which [REDACTED] grabbed [REDACTED] on the shoulder and then made a threatening comment, which he directed to both [REDACTED] and all EPA personnel at [REDACTED]. This incident arose from [REDACTED] belief that an individual had contacted the EPA or [REDACTED] to file a complaint against him. Specifically, [REDACTED] stated:

On Thursday, [REDACTED] 12, [REDACTED] came into work around 1130....[W]hile talking to staff, [REDACTED] became enraged at the thought of someone calling out to [REDACTED] to file a complaint and wanted to know

who we (staff) thought [redacted] had talked to. We responded that we did not know and that [redacted] could have talked to the EAP [Employee Assistance Program] person or security. [redacted] stated that if anyone had received [redacted] call and taken action based on the call, then he was going to beat their ass and go to their boss to do the same. After explaining this to [redacted] went on to explain the altercation that occurred with [redacted] and [redacted] on Wednesday night... [redacted] be careful when acting out of anger (leaving voicemails, etc) and [redacted] To which, [redacted] responded by grabbing [redacted] on the shoulder saying, "you are to cease and desist from talking about my personnel life to me or anyone else, or there will be consequences. This goes to everyone in the [redacted] there will be consequences." (Exhibit 7)

On [redacted] 2012, [redacted] during an interview, explained, while [redacted] was in the [redacted] room [redacted] entered and began discussing a situation concerning [redacted] stated [redacted] informed [redacted] that such language was inappropriate [redacted] put his hand on [redacted] shoulder; and, at the same time, [redacted] also pointed a finger at [redacted] while stating "there will be serious repercussions." [redacted] then walked away and, before he left, said to [redacted] "I love you [redacted]" (Exhibit 8)

On [redacted] 2012, [redacted] EPA [redacted] during an interview, provided a written statement which stated, in part:

On Thursday, [redacted] 2012, [redacted] came into the office around 11:45a.m. and walk[ed] [redacted] where [redacted] were eating lunch....He told us that he had found out that [redacted] was [redacted] ...During the conversation with [redacted] he tells [redacted] [redacted] enough that he would be in a lot of pain. At this point [redacted] and went to my desk. (Exhibit 9)

[redacted] added, "I am working in a hostile environment and am fearful for my life." (Exhibit 9)

On [redacted] 2012, during an interview [redacted] stated [redacted] says whatever he is thinking without giving thought to whether or not it is appropriate. Also, [redacted] increasingly used vulgar language at work [redacted] told a story, in front of female employees, about a female friend he would take care of, figuratively and literally, in a sexual manner (Exhibit 10).

On [REDACTED] 2012, during an interview, [REDACTED] stated he had no recollection of placing his hand on [REDACTED] shoulder or of, at that time, making threatening comments to [REDACTED] (Exhibit 2).

**IV. [REDACTED] by tossing an EPA laptop, engaged in an abusive or offensive gesture.**

On [REDACTED] 2012, [REDACTED] EPA, stated [REDACTED] had brought [REDACTED] laptop computer for repair. [REDACTED] informed [REDACTED] that his laptop did not work. [REDACTED] took the laptop back to [REDACTED] [REDACTED] made an inaudible comment, and then tossed the laptop on the floor (Exhibit 11).

In [REDACTED] sworn statement dated August 16, 2012, [REDACTED] stated:

[REDACTED] 2012...[a]t [REDACTED] to ask if [REDACTED] bizarre behavior to [REDACTED] CPU and tried to explain to [REDACTED] that [REDACTED] issue was with his personal router at his house, [REDACTED] expressed his frustrated [sic]. [REDACTED] asked [REDACTED] where he wanted his computer and [REDACTED] finally told [REDACTED] to leave the CPU on his desk. As [REDACTED] was leaving, [REDACTED] (Exhibit 3)

**V. [REDACTED] by threatening to throw a [REDACTED] at a [REDACTED] engaged in abusive or offensive language or gestures.**

In [REDACTED] sworn statement dated August 16, 2012, [REDACTED] stated:

On [REDACTED] 2012...[a]round [REDACTED] went to [REDACTED] to have lunch [REDACTED] appeared [REDACTED] lunch and asked if [REDACTED] with him [REDACTED] which is located [REDACTED] informed [REDACTED] was not interested due to [REDACTED] had some negative comments for [REDACTED] and stated he did not care about [REDACTED] policy. [REDACTED] tried to explain to [REDACTED] that there were [REDACTED] [REDACTED] stated that he did not care about any of those. That he had a filet [sic] knife strapped to his leg, [REDACTED] and a bat [REDACTED] All though [sic] [REDACTED] did not observe these items, at the time of the comment that he had possession of the knife [REDACTED] and bat. [REDACTED] located at [REDACTED] As for the [REDACTED] said he would throw the [REDACTED] at the driver, pull him off [REDACTED] and take care of [REDACTED] (Exhibit 3)

**VI. [REDACTED] by using profanity in the workplace, engaged in uttering abusive or offensive language.**

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] stated that on: "[REDACTED] 2012.. [REDACTED] and heard [REDACTED] screaming in the hallway [REDACTED] screamed, 'I [am] tired of this PC stuff. Fuck everyone.'" (Exhibit 3)

On [REDACTED] 2012, during an interview, [REDACTED] stated, that in [REDACTED] 2012, [REDACTED] held a meeting regarding [REDACTED]. During this meeting, [REDACTED] referred to [REDACTED] only as "[REDACTED] Asshole." Also during this meeting, [REDACTED] was ranting and raving and then exited [REDACTED] the meeting and stating, "I'll show you professional.... Fuck you," while displaying his middle finger (Exhibit 5).

**VII. [REDACTED] by viewing and sending inappropriate photographs, used Government property for other than official purposes.**

On [REDACTED] 2011, [REDACTED] forwarded [REDACTED] an email with the subject heading [REDACTED]. The attachment to [REDACTED] email was a picture of seven topless women (Exhibit 12).

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] stated:

In the spring of 2012, [REDACTED] and could see from the hallway a picture of topless women on his monitor. [REDACTED]

[REDACTED] this would easily offend any of the women walking if they saw this. [REDACTED]

[REDACTED] for lunch. [REDACTED] office again and the picture was still on his monitor and facing the hallway. [REDACTED]

[REDACTED] (Exhibit 3)

**VIII. [REDACTED] by allowing his spouse the use of his Government computer for her personal business, used Government property for other than official purposes.**

On [REDACTED] 2012, [REDACTED] spouse, agreed to voluntarily return EPA property from her residence to EPA SAs. While returning the EPA property [REDACTED] expressed concerns that she might need some personal files that she had maintained on the EPA computer for her personal business (Exhibit 13).

**IX. [REDACTED] made inappropriate ethnic comments, which constituted abusive or offensive language.**

On [REDACTED] 2012, during an interview, [REDACTED] stated that in [REDACTED] 2012, [REDACTED] held a meeting regarding the [REDACTED] Program [REDACTED] who was present, stated [REDACTED] made a comment during the meeting about [REDACTED] an EPA employee, stating "Don't like [REDACTED]." and [REDACTED] was "hired by [REDACTED]" (Exhibit 5)

In [REDACTED] sworn statement dated [REDACTED] 2012, [REDACTED] stated:

In [REDACTED] 2012, during a [REDACTED] meeting, [REDACTED] became agitated concerning the [REDACTED] [REDACTED] asked [REDACTED] if [REDACTED] had told [REDACTED] that [REDACTED] did not like [REDACTED] and that [REDACTED] did not want to participate in doing the [REDACTED] [REDACTED] responded by scanning the room, then stating he [REDACTED] cannot speak to people of that ethnicity like that. (Exhibit 3)

**X. [REDACTED] did not possess dangerous weapons while at [REDACTED]**

On [REDACTED] 2012, OIG SAs executed a search warrant of [REDACTED] office and located no dangerous weapons (Exhibit 14).

On [REDACTED] 2012, [REDACTED] the [REDACTED] at the [REDACTED] with a knife strapped to his leg, [REDACTED] and a bat [REDACTED] However, although [REDACTED] made these statements, [REDACTED] did not directly observe [REDACTED] with any of these items (Exhibit 4).

**[REDACTED] Medical [REDACTED] and Explanation [REDACTED]**

On [REDACTED] 2012, [REDACTED] related that [REDACTED] management knew about [REDACTED] months ago and [REDACTED] had provided a letter from [REDACTED] stating he [REDACTED]

Doctor [REDACTED]  
(Exhibit 2).

On [REDACTED] 2012, [REDACTED]  
(Exhibit 15).

[REDACTED] provided the following chronological background concerning [REDACTED]

- [REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

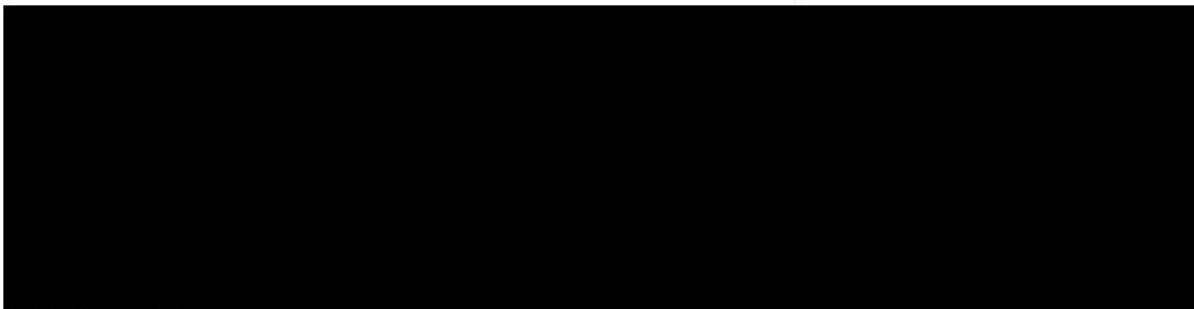
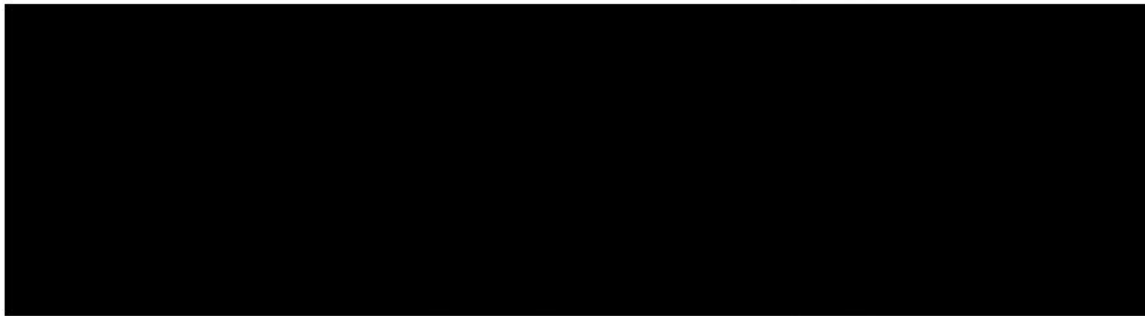
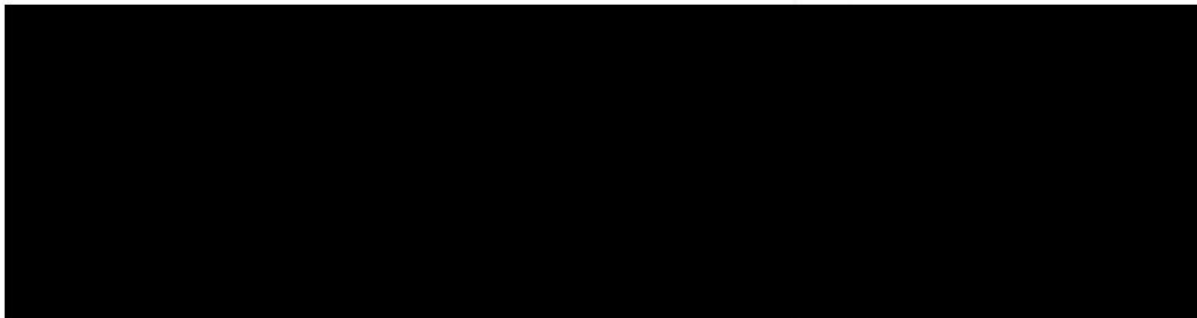
- [REDACTED]

- [REDACTED]

- [REDACTED]

---

2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]



(Exhibit 15).

Disposition

This Report of Investigation is being issued to [REDACTED] Office of Chemical Safety and Pollution Prevention, for any administrative remedies or actions deemed appropriate. Please notify Assistant Inspector General for Investigations Patrick Sullivan within 30 days of receipt of this report on the status of any action that your office has taken or plans to take.

SECTION B – ENTITIES AND INDIVIDUALS

**Name:** [REDACTED]  
**Title & Company:** [REDACTED]  
**Branch, EPA**  
**Role:** Subject  
**Business Address:** [REDACTED]  
**Business Phone:** [REDACTED]  
**EPA Employee:** Yes

**Name:** [REDACTED]  
**Title & Company:** [REDACTED]  
**Role:** Witness  
**Business Address:** UKN  
**Business Phone:** UKN  
**EPA Employee:** No

**Name:** [REDACTED]  
**Title & Company:** [REDACTED]  
**Role:** Witness  
**Business Address:** UKN  
**Business Phone:** UKN  
**EPA Employee:** UKN

**Name:** [REDACTED]  
**Title & Company:** [REDACTED] EPA [REDACTED]  
**Role:** Witness  
**Business Address:** [REDACTED]  
**Business Phone:** [REDACTED]  
**EPA Employee:** Yes

**Name:** [REDACTED]  
**Title & Company:** [REDACTED] EPA [REDACTED]  
**Role:** Witness  
**Business Address:** [REDACTED]  
**Business Phone:** [REDACTED]  
**EPA Employee:** Yes

**Name:** [REDACTED]  
**Title & Company:** [REDACTED] EPA [REDACTED]  
**Role:** Witness  
**Business Address:** [REDACTED]  
**Business Phone:** [REDACTED]  
**EPA Employee:** Yes

Name: [REDACTED]  
Title & Company: [REDACTED] EPA [REDACTED]  
Role: Witness  
Business Address: [REDACTED]  
Business Phone: [REDACTED]  
EPA Employee: Yes

Name: [REDACTED]  
Title & Company: [REDACTED] EPA [REDACTED]  
Role: Witness  
Business Address: [REDACTED]  
Business Phone: [REDACTED]  
EPA Employee: No

Name: [REDACTED]  
Title & Company: [REDACTED] EPA [REDACTED]  
Role: Witness  
Business Address: [REDACTED]  
Business Phone: [REDACTED]  
EPA Employee: Yes

Name: [REDACTED]  
Title & Company: [REDACTED]  
Role: Witness  
Business Address: [REDACTED]  
[REDACTED]  
Business Phone: [REDACTED]  
EPA Employee: No

#### SECTION C – BACKGROUND

On [REDACTED] 2012, [REDACTED] provided information concerning allegations that, between on or about [REDACTED] 2012 to [REDACTED] 2012, [REDACTED] made threats and possessed dangerous weapons while [REDACTED]. From [REDACTED] 2012, through [REDACTED] 2012, OIG SAs collected documentary evidence, physical evidence, and conducted interviews. On [REDACTED] OIG SAs executed a search warrant of [REDACTED] locked office at the [REDACTED]. This search warrant was issued from the [REDACTED] United States District Court. The search of [REDACTED] office, conducted pursuant to the search warrant, identified no weapons.

On [REDACTED], 2012, OIG SAs voluntarily received approximately forty-three items from [REDACTED] residence. Further, on [REDACTED] 2012, [REDACTED] EPA desktop and laptop computers were retrieved and sent to the OIG Office of Computer Intrusions for forensic review. Interviews conducted by OIG SAs, which were relevant to the above-referenced issues, included: [REDACTED]



#### SECTION D – PROSECUTIVE STATUS

On February 28, 2013, this investigation was referred to [REDACTED]  
[REDACTED] Office of Chemical Safety and  
Pollution Prevention, Management for review and appropriate action, with a request that  
the EPA OIG be advised of any administrative action taken within 30 days.

#### SECTION E – WITNESSES AND EVIDENCE

Not applicable.

## EXHIBITS

DESCRIPTION	EXHIBIT
Complaint Initiation, COMP-2012-375, [REDACTED]	1
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	2
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	3
Sworn Statement of [REDACTED] dated [REDACTED] 2012	4
Memorandum of Interview, Supplemental - [REDACTED], dated [REDACTED] 2012	5
List of 43 items retrieved from the [REDACTED] residence, [REDACTED] dated [REDACTED] 2012	6
Memorandum of Interview - [REDACTED], dated [REDACTED] 2012	7
Sworn Statement of [REDACTED] dated [REDACTED] 2013	8
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	9
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	10
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	11
Email from [REDACTED] to [REDACTED] dated [REDACTED] 2011	12
Memorandum of Activity - Interview of [REDACTED] dated [REDACTED] 2012	13
Memorandum of Interview - [REDACTED] dated [REDACTED] 2012	14
Search and Seizure Warrant, United States District Court for [REDACTED] District [REDACTED] dated [REDACTED] 2012, for the EPA office of [REDACTED]	15



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
1301 CONSTITUTION AVE, NW  
EPA WEST BUILDING  
WASHINGTON, DC 20004

AUG 13 2013

REFERRED FOR ACTION REPORT OF INVESTIGATION  
CONCERNING

[REDACTED] ENVIRONMENTAL PROTECTION SPECIALIST  
DISTRICT OF COLUMBIA (HEADQUARTERS)  
OI-HQ-2013-ADM-0014

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Narrative  
Entities and Individuals  
Prosecutive Status  
Exhibits

Section A  
Section B  
Section C

---

Distribution:

[REDACTED]  
Office of Water  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

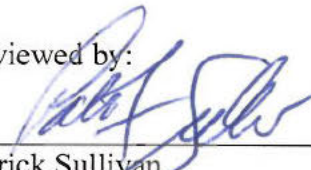
Submitted by:

[REDACTED]  
Special Agent  
Office of Investigations

Approved by:

[REDACTED]  
Acting Special Agent in Charge  
Office of Investigations

Reviewed by:

  
Patrick Sullivan  
Assistant Inspector General  
Office of Investigations



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
1301 CONSTITUTION AVE, NW  
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WASHINGTON, DC 20004

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1200 Pennsylvania Avenue, NW  
Washington, DC 20460

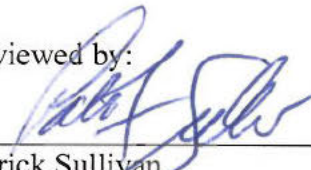
Submitted by:

[REDACTED]  
Special Agent  
Office of Investigations

Approved by:

[REDACTED]  
Acting Special Agent in Charge  
Office of Investigations

Reviewed by:

  
Patrick Sullivan  
Assistant Inspector General  
Office of Investigations



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL**

**DATE:** August 27, 2014

**PREPARED BY:** [REDACTED]

**CASE #:** OI-HQ-2013-ADM-0014

**CROSS REFERENCE #:**

**TITLE:** EPA OW [REDACTED] - ENVIRONMENTAL PROTECTION SPECIALIST -  
[REDACTED]

**CASE CLOSING REPORT**

Subject(s)	Location	Other Data
[REDACTED]	OFFICE OF WATER [REDACTED] 1301 CONSTITUTION AVE NW ROOM [REDACTED] WASHINGTON, DC 20004	(202) [REDACTED]

**VIOLATION(S):**

EPA Order 3120.1, Appendix A, Table of Penalties (11)

EPA Order CIO 2101.0, Section C

Title 5 CFR 2635.704, Subpart G

Title 5 CFR 2635.705, Subpart G

Using government property or  
government employees in duty status  
for other than official purposes.  
Policy on limited personal use of  
government office equipment  
Use of government property  
Use of official time

**ALLEGATION:**

On November 6, 2012, the U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI) Hotline received a forwarded email, dated [REDACTED] 2012, from [REDACTED] EPA Human Resource Specialist, Labor and Employee Relation Staff, Washington, DC, 202-[REDACTED] requested OIG-OI investigate allegations regarding [REDACTED] Environmental Protection Specialist, EPA Office of Water, Washington, DC, [REDACTED] using his EPA computer to view pornographic material.

**RESTRICTED INFORMATION**

Page 1

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## FINDINGS:

The investigation disclosed that [REDACTED] used his government issued computer for “other than official purposes,” while in duty status. During an interview of [REDACTED] he admitted to his unauthorized use of his government computer. [REDACTED] stated that when he placed his personal thumb drive into his computer, he consciously opened a file that he knew contained pornography, and purposely opened the file on his EPA computer, while at work [REDACTED] stated that the pornographic video he watched had two women in bed together “having sex.” [REDACTED] stated that up until [REDACTED], when [REDACTED]

[REDACTED] OW, witnessed him viewing pornographic material, he was watching pornographic material on his EPA computer, at his desk, a couple times per week for the last couple of years.

A forensic analysis of [REDACTED] EPA computer hard drive substantiated the aforementioned allegation.

## DISPOSITION: Proven; Closed

As a result of this OIG investigation, on [REDACTED] 2013, [REDACTED] was provided an official “Notification of Final Decision Regarding Proposed Suspension” memorandum from [REDACTED], Office of Water (attachment 1). [REDACTED] was suspended from duty without pay for five (5) days. A segment of the memorandum reads as follows:

“My determination is based on my thorough review of the written case file and the Inspector General’s report. I find that your suspension is warranted....Your suspension will be effective beginning [REDACTED] you will be suspended for one day for a total of 5 days of suspended pay. Since you are officially disciplined for viewing or downloading pornography, you will no longer be allowed to telework under Section 6502(a) of the Telework Act of 2010. Further, you are not allowed to bring any external flashdrives or any other external device not authorized by EPA into the office from home to attach to your government computer. The Agency reserves the right to periodically review your computer to assure there is no pornography being viewed or downloaded....”

On [REDACTED] 2014, SA [REDACTED] contacted [REDACTED] immediate supervisor, who confirmed that [REDACTED] completed all of his suspension days.

This case is now closed.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
INSPECTOR GENERAL

March 13, 2015

**FINAL SUMMARY MEMORANDUM REPORT**

**SUBJECT:** [REDACTED],  
Office of Radiation and Indoor Air  
Case Number: OI-HQ-2014-ADM-0012

**FROM:** Patrick F. Sullivan  
Assistant Inspector General for Investigations  
Environmental Protection Agency  
Office of Inspector General

**TO:** Nanci Gelb  
Acting Assistant Administrator  
Environmental Protection Agency  
Office of Administration and Resources Management

This final summary memorandum report sets forth the Environmental Protection Agency (EPA), Office of Inspector General's (OIG) investigative finding for your review concerning the above-referenced case. As you know, my office coordinated with the Labor and Employee Relations (LER) Division and previously provided LER investigative materials identified in Attachment 1. The information was provided in response to LER's request, even though the investigation was ongoing, so that the information could be included in EPA's review and determination of whether administrative action is warranted in this matter. This memorandum report is the final report to be transmitted from the OIG to the agency on this matter.

Senate and House committees with jurisdiction over EPA have inquired about the results of this investigation. I have concluded that in this instance, it is appropriate to furnish these results with the committees, consistent with my obligation under the IG Act to keep both the head of the agency and the Congress fully and currently informed concerning fraud and other serious problems, abuses and deficiencies relating to the programs and operations of the agency

As background, on [REDACTED] 2013, the EPA OIG hotline received a complaint alleging EPA Employee [REDACTED] Office of Radiation and Indoor Air, Office of Air and Radiation (OAR) downloaded 7,383 files, or 1.3 gigabytes, of potential pornographic files onto an EPA Office of Air and Radiation (OAR) server.

On [REDACTED], 2013, special agents from my office responded to [REDACTED] work location ([REDACTED]) to retrieve his EPA issued computer and schedule an interview with him. As a special agent entered [REDACTED] assigned workspace, the special agent observed [REDACTED] viewing a pornographic image on an EPA computer monitor, which was attached to [REDACTED] EPA issued laptop computer. Special agents subsequently retrieved [REDACTED] EPA issued laptop for forensic analysis.

On [REDACTED] 2013, [REDACTED] was interviewed by special agents and admitted that he views and downloads pornographic images during his assigned work hours with EPA computer equipment during working hours. Specifically, [REDACTED] stated that he has spent between approximately two (2) and six (6) hours each work day for "several years," viewing and downloading pornography. [REDACTED] stated that "a lot" of his time each workday is spent "organizing" the pornography he downloaded into saved folders. [REDACTED] stated he did not believe he was doing anything "wrong" by accessing pornographic websites because he was completing the work his supervisor required him to do and that other employees within his division spend much of their assigned duty hours doing "personal" things other than official EPA business.

On May 27, 2014, special agents reviewed and analyzed the files on [REDACTED] government issued laptop. His laptop contained approximately 20,648 adult pornographic files. None of these files contained images of child pornography.

Sufficient evidence exists to support the finding that [REDACTED] misused government time and resources by viewing and organizing pornography on an EPA computer during scheduled working hours in violation of EPA policy.

On October 9, 2014, as part of the OIG's continuing coordination with the LER, special agents provided LER with several forensic reports related to the [REDACTED] investigation. Subsequently, OIG provided LER with a copy of [REDACTED] sworn statement, and the memorandum of his interview. (Attachment 1).

As an update on the criminal disposition of this case, on March 10, 2015, the United States Attorney's Office for the District of Columbia declined federal prosecution of [REDACTED] and therefore, this is now solely an administrative matter.

My office is taking no further investigatory action in this matter. This final summary memorandum report is provided "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. Portions of this memorandum report may be used by appropriate Agency officials for administrative action in conjunction with the other materials previously provided by my office. Please return this memorandum report after your review of this matter is completed.

Please advise my office within 30 days of administrative action(s) taken or proposed by you in this matter, if any.

If you have any questions or concerns, please don't hesitate to contact me at 202-566-0308.

## ATTACHMENT

1. Memorandum of Activity - Includes a list of information EPA OIG provided to LER from October 9, 2014 to March 9, 2015.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: APRIL 28, 2016

PREPARED BY: SA [REDACTED]

CASE #: OI-AR-2013-ADM-0068

CROSS REFERENCE #:

TITLE: [REDACTED], OFFICE OF RADIATION AND  
INDOOR AIR

CASE CLOSING REPORT

Subject(s)	Location	Other Data
[REDACTED]	WASHINGTON, DC	

**POTENTIAL VIOLATION(S):** Misuse of Government Equipment, Inappropriate Conduct at Work, Misuse of Official Time in violation of Environmental Protection Agency (EPA) Order CIO 2102.0, *Policy on Limited Personal Use of Government Equipment*, (April 2, 2004)(Tab B).

**ALLEGATION(S):** [REDACTED], Office of Radiation and Indoor Air (ORIA) downloaded and viewed pornographic images on his EPA laptop while at work.

**FINDING:** The allegation that [REDACTED] downloaded and viewed pornographic images on his EPA computer while at work is supported.

On March 10, 2015, the United States Attorney's Office for the District of Columbia declined federal prosecution of [REDACTED]

On March 13, 2015, the OIG provided EPA senior leadership with a final summary memorandum report for this investigation. On March 24, 2015, Acting Assistant Administrator Nanci Gelb informed the OIG that the EPA had (b) (5), (b) (6), (b) (7)(C) [REDACTED] due to the OIG's investigation.

[REDACTED] from federal service effective [REDACTED] 2015

**DISPOSITION:** Since this case has been criminally declined and there is no administrative nexus, this case is closed with no further action. However, if additional information is obtained, OI will assess such information and take appropriate action.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: NOVEMBER 02, 2015

PREPARED BY: SA [REDACTED]

CASE #: OI-HQ-2014-ADM-0082

CROSS REFERENCE #:

TITLE:

[REDACTED] OFFICE OF POLICY, OFFICE OF

CASE CLOSING REPORT

Subject(s)	Location	Other Data
[REDACTED]	WASHINGTON, D.C.	

**BACKGROUND:** On Friday [REDACTED] 2014, Special Agent (SA) [REDACTED] Office of Investigation (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA) spoke with [REDACTED]

[REDACTED] Office of Policy (OP), Office of the Administrator (OA), regarding an allegation of employee misconduct involving [REDACTED] EmpID: [REDACTED] Environmental Protection Specialist, [REDACTED]

[REDACTED] Office of Policy (OP), Office of Administrator (OA). Specifically, on Thursday [REDACTED] was witnessed viewing pornographic material on his government laptop during core work hours by [REDACTED] who was in the building for the EPA's [REDACTED]."

**VIOLATION:** EPA ORDER 3120.1; Conduct & Discipline Manual, Appendix – Table of Penalties #7: Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful.

**ALLEGATION:** On [REDACTED] 2014, the EPA OIG received a complaint alleging employee misconduct involving [REDACTED] Specifically, on Thursday [REDACTED] was allegedly witnessed viewing pornography on his government laptop during core work hours by [REDACTED] who was in the building for [REDACTED] On February 23, 2015, the United States Attorney's Office for the District of Columbia declined federal prosecution of this case making it a purely administrative matter.

**FINDINGS:** Sufficient evidence existed to support a finding that [REDACTED] misused government time and resources by viewing and organizing pornography on an EPA computer during scheduled working hours in violation of EPA policy.

**DISPOSITON:**

On [REDACTED] 2015, a Proposal Notice for Removal was sent to [REDACTED] and on [REDACTED] 2015, [REDACTED] was officially removed from employment with the EPA. After termination, [REDACTED] filed a complaint regarding his removal with the Merit Systems Protection Board, but he withdrew that complaint with prejudice as of [REDACTED]

Based upon the foregoing, there are no further investigative steps to be taken and this case is recommended for closure.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
INSPECTOR GENERAL

March 13, 2015

**FINAL SUMMARY MEMORANDUM REPORT**

**SUBJECT:** [REDACTED],  
Office of the Administrator  
Case Number: OI-HQ-2014-ADM-0082

**FROM:** Patrick F. Sullivan  
Assistant Inspector General for Investigations  
Environmental Protection Agency  
Office of Inspector General

**TO:** Nanci Gelb  
Acting Assistant Administrator  
Environmental Protection Agency  
Office of Administration and Resources Management

This final summary memorandum report sets forth the Environmental Protection Agency (EPA) Office of Inspector General (OIG) investigative finding for your review concerning the above-referenced case. As you know, my office coordinated with the Labor and Employee Relations (LER) Division and previously provided LER investigative materials identified in Attachment 1. The information was provided in response to LER's request, even though the investigation was ongoing, so that the information could be included in EPA's review and determination of whether administrative action is warranted in this matter. This memorandum report is the final report to be transmitted from the OIG to the agency on this matter.

As background, on [REDACTED] 2014, the EPA OIG received a complaint alleging employee misconduct involving [REDACTED]. Specifically, on [REDACTED], 2014, [REDACTED] was allegedly witnessed viewing pornography on his government laptop during core work hours by [REDACTED] who was in the building for the EPA's "[REDACTED]." We immediately initiated an investigation into the violation of misuse of government time and resources.

Subsequent to the case initiation, on [REDACTED] 2014, [REDACTED] was interviewed by special agents. During the interview and documented in his sworn statement, [REDACTED] stated that he viewed pornography at work between one (1) and four (4) hours per day. In addition, [REDACTED] stated that approximately thirty percent (30%) to forty percent (40%) of the data stored on his external electronic media devices contained pornography.

Sufficient evidence exists to support the finding that [REDACTED] misused government time and resources by viewing and organizing pornography on an EPA computer during scheduled working hours in violation of EPA policy.

On October 9, 2014, as part of the OIG's continuing coordination with the LER, special agents provided LER, with several forensic reports related to the [REDACTED] investigation. Subsequently, OIG provided LER with a copy of [REDACTED] sworn statement, and the un redacted memorandum of interview. (Attachment 1)

As an update on the criminal disposition of this case, on February 23, 2015, the United States Attorney's Office for the District of Columbia declined federal prosecution of [REDACTED] and therefore, this is now solely an administrative matter.

My office is taking no further investigatory action in this matter. This final summary memorandum report is provided "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. Portions of this memorandum report may be used by appropriate Agency officials for administrative action in conjunction with the other materials previously provided by my office. Please return this memorandum report after your review of this matter is completed.

In order that we may satisfy our reporting requirement to Congress and the Administrator, please advise my office within 30 days of administrative action(s) taken or proposed by you in this matter, if any.

If you have any questions or concerns, please don't hesitate to contact me at 202-566-0308.

## ATTACHMENT

1. Memorandum of Activity – Includes list of information EPA OIG provided to LER from October 9, 2014 to February 9, 2015.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**OFFICE OF INSPECTOR GENERAL**  
109 TW ALEXANDER DRIVE  
RESEARCH TRIANGLE PARK, NC 27711

**CASE #:** OI-RTP-2015-ADM-0045

**CROSS REFERENCE #:** COMP-2015-59 AND  
OCI-RTP-2011-ADM-2847

**TITLE:** [REDACTED]  
**EMPLOYEE**

**PREPARED BY:** SA [REDACTED]

**SHORT-FORM REPORT OF INVESTIGATION**

**PERIOD COVERED:** FROM 3/30/2015 TO 1/11/2016

**STATUS OF CASE:** CLOSED INVESTIGATION

**JOINT AGENCIES:** [REDACTED] Office of the Inspector General

**PREDICATION:**

This investigation was initiated after the Environmental Protection Agency (EPA) Office of the Inspector General (OIG) received information from [REDACTED], EPA Office of Environmental Information (OEI) RTP, NC that [REDACTED] assigned EPA laptop computer had appeared on a recent blocked sites list that OEI generates [REDACTED] believed that [REDACTED] may have been viewing a substantial amount of pornography due to the number of blocked sites and the webpage identifiers and descriptions.

**DETAILS:**

A review of the information provided by [REDACTED] revealed that [REDACTED] did indeed appear to be visiting a large number of pornographic websites using his EPA assigned laptop, both during and after regular work hours (Exhibit #1).

On [REDACTED] 2015, [REDACTED] was interviewed regarding the time he spent viewing pornography on the EPA assigned laptop computer. [REDACTED] ultimately admitted that he enjoyed viewing adult pornography at the office on his EPA laptop as often as five days a week. [REDACTED] also indicated that he used his EPA assigned iPhone 5 to take pictures of his private parts and share them with [REDACTED] and with women he has met over the Internet. He would also use the iPhone 5 to view other pornographic material. In addition to viewing pornographic websites, [REDACTED] admitted to receiving email messages from women he has met online containing pornographic

images. He would check his personal email while at work and using the EPA assigned laptop (Exhibit #2).

██████████ further admitted to watching full length movies over the Internet on his EPA assigned laptop computer while at work.

██████████ EPA laptop was seized, imaged and reviewed. A substantial number of pornographic images and movies were recovered from the hard drive through the analysis. The dates and times of the images and videos suggest that ██████████ was viewing the images both at work and at home on the laptop computer for up to six hours a day for at least 10 months (Exhibit #3).

### Allegation 1

Viewing pornographic images and videos at the office utilizing EPA equipment.

### **Allegation 1 Findings**

The findings are *supported* and have been forwarded to EPA [REDACTED] management for review and action as necessary.

**DISPOSITION:**

[REDACTED] voluntarily, as a result of this investigation and being informed he would be terminated otherwise, submitted [REDACTED]  
[REDACTED] requested leave from [REDACTED] which was approved. His last day at his duty station was [REDACTED]

This case is closed.

## EXHIBITS:

- 1) MOA of [REDACTED] internet history, dated [REDACTED] 2015



MOA [REDACTED]

Internet H

- 2) MOI with [REDACTED] dated [REDACTED] 2015



MOI [REDACTED]

.docx

- 3) MOA computer forensic report, dated [REDACTED] 2015



MOA [REDACTED]

Computer



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL**

75 Hawthorne Street, 7<sup>th</sup> Floor  
San Francisco, CA 94105

**DATE:** December 29, 2015

**PREPARED BY:** Special Agent [REDACTED]

**CASE #:** OI-SE-2014-CFR-0085

**CROSS REFERENCE #:**

**TITLE:** [REDACTED] CONTRACTOR, EPA, [REDACTED]

**CASE CLOSING REPORT**

Subject(s)	Location	Other Data
[REDACTED]	[REDACTED]	Contractor, [REDACTED]

**VIOLATIONS:** Improper Internet Activity during EPA Time

**ALLEGATION:** On [REDACTED] 2014, the EPA OIG Office of Investigation received information that a computer belonging to EPA user [REDACTED] Contractor, [REDACTED], Office of [REDACTED], had logged over 700 denies to blocked pornography, gaming and gambling sites on two occasions.

**FINDINGS:** On [REDACTED] 2014, EPA Office of Environmental Information, Office of Technology Operations and Planning, Technology and Information Security (OEI) staff confirmed [REDACTED] computer web history disclosed a high level of activity related to gaming and adult sites. According to OEI, the computer had installed software, (b) (7)(E) [REDACTED]

During an interview on [REDACTED] 2014, [REDACTED] admitted culpability and confessed to viewing pornography on an EPA computer consistently for the last [REDACTED] years. [REDACTED] stated he watched pornography at work on average one to two hours a day. [REDACTED] admitted to using software such as (b) (7)(E) [REDACTED].

**DISPOSITION:** On [REDACTED] 2015, [REDACTED] Contracting Officer, EPA, ordered [REDACTED], prime contractor for [REDACTED], to pay restitution in the amount of \$ [REDACTED]. On [REDACTED] 2015, [REDACTED] confirmed that EPA had been credited the \$ [REDACTED] in restitution.

All administrative remedies have been concluded and no further investigative activity is warranted. This case is closed.